

Process Servers, Court and Clerk's Office Information and Exchange Presentation

July 18, 2006

Minutes

Welcoming Remarks

- Michael K. Jeanes, Clerk of the Superior Court, welcomed the group to the meeting.

E-File Update

- Mr. Jeanes advised of the progress with E-file expansion plans. The Clerk's Office has established a goal of January 1, 2007 for use and reliance on the Electronic Court Record. At that time, all documents filed will be in an electronic format, either received as an E-filed document or received as paper and scanned, and the placement of paper documents into the "hard copy court file" will cease. Mr. Jeanes has received support from the Supreme and Superior Courts and will obtain formal authorization via an Administrative Order in the fall of 2006. A Statement of Compliance from the Clerk regarding the integrity of the Electronic Court Record will be provided prior to the Administrative Order. Simultaneous to this effort, the Office will be back-scanning older case files in their entirety (pre-2002). This will not however, eliminate the need to obtain records information by visiting a Clerk's facility. These records will not be obtainable via the internet until specific privacy issues can be resolved on a local and national level. A pilot program is being established that will allow attorneys and parties in a case to view their case only on-line. Additionally, the Supreme Court amended Rule 123 with the intent to ensure exclusion of all personal information from the public record; however, with feedback from judges and others regarding the need to provide specific detail for purposes of an Order, the amendment was placed on hold. A personal data sheet was implemented on January 1, 2006 via the new Family Court Rules, and this is in effect. This provides all personal information needed, but is not a part of the public record.
- E-File initiatives continue – additional Judges have been added to the Civil pilot. By August, Southeast Adult Criminal Divisions will be E-File Divisions. Electronic file-in stamps will be a part of each document filed. Plans to expand to Family Court case types are also being reviewed.

Judicial Rotation – Information Available on Clerk of Court's Internet Site

- Mr. Jeanes announced that current judicial rotations will be available on the Clerk's Website at:
http://www.clerkofcourt.maricopa.gov/Process_Server/news/Rotations06-26-06.pdf
Updates will be posted when they are received from Court Administration.

Affidavits of Service

- Lauri Thomas, Document Management Administrator was asked to place this item on the agenda for clarification. She reiterated that it is imperative that space be allotted on documents to provide for the file-in stamp located in the upper right-hand corner. One solution provided to the group was that they file Affidavits of Service with their names, address and contact number (along with the party they are filing on behalf of) in the upper left-hand corner of the document. Some process servers found Local Rule 2.15 confusing because it relates to attorney and/or party information on court documents. Ms. Thomas explained that it is critical to have the process server's information, including a contact phone number, on the documents being filed. If there is an issue with the document, staff can contact the appropriate person. She clarified that it is not mandatory that this information be listed on the upper left-hand corner of the document; only that it be provided.

Affidavits of Service with Multiple Case Numbers

- Ms. Thomas further explained that some Affidavits of Service being filed have multiple case numbers on them. You must file a separate Affidavit of Service for each case number.
- Discussion ensued regarding the state-wide form for Affidavits of Service on Orders of Protection. Ms. Thomas encouraged process servers to use this form to ensure proper update of CPOR information; a state-wide repository of Protective Orders. Process servers raised the issue of the required notarized

signature on this form and were advised by a member of the audience that the Affidavit of Service form available through the Court's Domestic Violence Center does not require a notary – there is no notary signature line at the bottom of the form. (Note: a copy of this form follows these minutes.)

- Mr. Jeanes encouraged the group to provide their comments/concerns to the state-wide Domestic Violence Rules Committee. The next public meeting is on August 9th at 2:00 in Conference Room 345 at the Administrative Offices of the Court (AOC) – 1501 West Washington. More information may be obtained via this link. <http://www.supreme.state.az.us/cidvc/DVRules/default.htm>

Justice Courts Information

- Karen Westover, Deputy Court Administrator for Justice and Limited Jurisdiction Courts, was introduced to the group. She has assumed Information Technology (IT) and Human Resources (HR) oversight for the Justice Courts in Maricopa County. Judge John Ore, University Lakes Justice Court – 602-506-5958, is the Presiding Judge of the Justice Courts and Judge Quentin Tolby, Manistee Justice Court – 602-372-2000, is the Associate Presiding. Ms. Westover can be contacted by phone at 602-506-3484 or via email at kawestov@superiorcourt.maricopa.gov. The group expressed their concerns regarding lack of uniform processes at the numerous Justice Courts. And, when trying to resolve issues, the difficulty they have when trying to reach the appropriate administrator at the Justice Court. Other specific issues reported in the meeting included; 1) Distribution of the "old" Process Servers List, that is no longer being updated; 2) Timeliness issues with Forcible Detainers; 3) Issues with access to Justice Court records; and 4) Issues with documents delivered to the External Depository Boxes and timely file stamps. Ms. Westover asked these individuals to contact her via email and she will address the issues within her area of responsibility or forward them to the appropriate individuals at the specific Justice Court.

Court Administration Topics

- Donna Williams, Family Court Assistant Administrator, introduced Shannon Branham, Family Court Navigator. Ms. Branham is located on the 6th floor at the Central Court Building and can be contacted by phone at 602-506-0219 or via email at navigator@superiorcourt.maricopa.gov. She is available to assist individuals with Family Court matters and parties with issues may be referred directly to her.

Potential Changes to the Civil Coversheet – Construction Defect

- Merriel Trombley, Document Management Supervisor of the Civil File Counter at the Central Court Complex, alerted process servers to possible changes in the Civil Coversheet. Changes are currently being reviewed by Judicial Officers and she expects approval within two weeks. The updated form will be available via the Clerk's Internet site at <http://www.clerkofcourt.maricopa.gov/faxondemand/204.pdf>. The Clerk's Office will provide an ANNOUNCEMENT (under the process servers' link) on the website at http://www.clerkofcourt.maricopa.gov/process_svr.asp when the new form becomes available.

Other Items

- The only issue raised in the meeting was consensus from the group that there is a need for consistency when affixing a certification stamp. Some staff are affixing the certification stamp to the back of a document. This should only occur when there is no space available on the front side of the last page of the document for the certification stamp. Mr. Jeanes advised the group he will direct Administrators to address this issue with staff.
- Having no additional items, the meeting was adjourned at 1:05 p.m.

NEXT REGULAR MEETING IS SCHEDULED FOR OCTOBER 17, 2006 @ NOON

_____ Plaintiff	_____ Court Case No.	CERTIFICATE OR AFFIDAVIT OF SERVICE
_____ Date of Birth -vs-	_____ Court No., NCIC	
_____ Defendant	_____ Court No., DPS	

The undersigned, being first duly qualified by law, swears or certifies that the following was served:

- upon ☐ Plaintiff ☐ Defendant on _____, _____ at _____ a.m. / p.m.
(Date) (Year) (time)

I state under penalty of perjury that the foregoing is true and correct.

(Person Serving Process)

- Office or agency and identification number of Peace Officer

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